

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Michelle Olivieri

v.

Case No. 08-cv-37-PB

United States of America

NOTICE OF RULING

Re: Document No. 1, Motion to Vacate Sentence - § 2255

Ruling: The petition is conclusory. Moreover, based on the pre-sentence report and the additional facts outlined in the government's objection, it does not appear that the concession on which the ineffective assistance of counsel claim is based was either improper or prejudicial. To state a viable claim for relief, petitioner must explain why the concession she complains of was improper and how it adversely affected the outcome. On or before March 15, 2008, petitioner shall show cause as to why the petition should not be dismissed for the reasons set forth in this order.

/s/Paul Barbadoro

United States District Judge

Date: February 19, 2008

cc: Michelle Olivieri, pro se
Aixa Maldonado-Quinones, Esq.